

A-6951 (a) & (b)
(Variance Request)

Construct

- a) an expanded portico, which would encroach a maximum of one foot, eight and one-half inches (1'-8 ½") forward of the twenty-five (25) foot front (Montgomery Street) building restriction line (BRL). The proposed portico would be three feet, six inches (3'-6") wider than the existing portico; and
- b) an expanded front stoop and steps, which would encroach a maximum of three (3) feet forward of the twenty-five (25) foot front (Montgomery Street) building restriction line. The proposed stoop would be two feet, one inch (2'-1") wider than the existing stoop and the proposed steps would be eleven (11) inches wider than the existing front steps, which presently encroach a maximum of one foot, three inches (1'-3") forward of the twenty-five foot front BRL.

Mr. Scott M. Levine &
Ms. Melissa R. Blume
5613 Montgomery Street

**CHEVY CHASE VILLAGE
BOARD OF MANAGERS
JUNE 13, 2016 MEETING**

STAFF INFORMATION REPORT

TO: BOARD OF MANAGERS

FROM: ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR

DATE: 6/8/2016

SUBJECT: HEARING OF CASE NO. A-6951 (A) & (B) VARIANCE REQUESTS
MS. MELISSA R. BLUME & MR. SCOTT LEVINE, 5613 MONTGOMERY STREET
CONSTRUCT:

- A) AN EXPANDED PORTICO, WHICH WOULD ENCROACH A MAXIMUM OF ONE FOOT, EIGHT AND ONE-HALF INCHES (1'-8 ½") FORWARD OF THE TWENTY-FIVE (25) FOOT FRONT (MONTGOMERY STREET) BUILDING RESTRICTION LINE (BRL). THE PROPOSED PORTICO WOULD BE THREE FEET, SIX INCHES (3'-6") WIDER THAN THE EXISTING PORTICO; AND
- B) AN EXPANDED FRONT STOOP AND STEPS, WHICH WOULD ENCROACH A MAXIMUM OF THREE (3) FEET FORWARD OF THE TWENTY-FIVE (25) FOOT FRONT (MONTGOMERY STREET) BUILDING RESTRICTION LINE. THE PROPOSED STOOP WOULD BE TWO FEET, ONE INCH (2'-1") WIDER THAN THE EXISTING STOOP AND THE PROPOSED STEPS WOULD BE ELEVEN (11) INCHES WIDER THAN THE EXISTING FRONT STEPS, WHICH PRESENTLY ENCROACH A MAXIMUM OF ONE FOOT, THREE INCHES (1'-3") FORWARD OF THE TWENTY-FIVE FOOT FRONT BRL.

NOTICE REQUIREMENTS: Abutting Owners; Public Notice

APPLICABLE CHEVY CHASE BUILDING REGULATION:

The Chevy Chase Village Code Sec. 8-16 (c) states:

No structure of any description shall be erected within twenty-five (25) feet of the front line of any lot.

APPLICABLE COVENANTS:

"No structure of any description shall be erected within twenty-five (25) feet of the front line of said premises; and that no stable, carriage house, shed or outbuilding shall be erected except on the rear of said premises."

FACTUAL AND BACKGROUND INFORMATION:

The property is located on the south side of Montgomery Street.

The existing portico does not encroach forward of the 25' front BRL. The proposed portico would encroach one foot, eight and one-half inches (1'-8 ½") forward of the front BRL and would also be three feet, six inches (3'-6") wider than the existing portico.

The existing stoop and steps presently encroach one foot three inches (1'-3") forward of the 25' front BRL and the proposed would encroach one foot, nine inches (1'-9") farther for a total encroachment of three

(3) feet forward of the front BRL. The proposed stoop would also be two feet, one inch (2'-1") wider than the existing stoop and the steps would be eleven (11) inches wider than the existing steps.

The stoop and steps are associated with the primary entrance to the dwelling and are required by grade for entrance to the first floor.

The Village arborist has assessed the property. No trees are proposed for removal. Construction of the portico can be accommodated through a Tree Protection Plan.

To date there has been no correspondence received either in support of or in opposition to the request.

Applicable Fees: Building Permit Application: \$30; Variance Application Fee: \$300.



Figure 1: 5613 Montgomery Street.

LEGISLATIVE POLICY RE: FRONT STEPS, STOOPS AND ASSOCIATED PORTICOS:

At its meeting on February 9, 2015 the Village Board adopted a legislative that finds that stoops and steps, whether uncovered or with an associated portico, which are necessary to address the change in elevation from the ground to the primary entrance of a house, and to allow for reasonable, safe access, will no longer be considered "structures" for the purposes of the **covenants** (finding number three in the variance conditions). Applicants must still apply for a variance and will need to address the first two conditions of the Variance request and the proposed stoop, steps and/or portico, when serving as the primary entrance, must meet the size and elevation criteria stipulated in the policy. [The complete Policy follows this Staff Report]

RELEVANT PRECEDENTS:

The most relevant precedents are those variances approved subsequent to passage of the policy on front stoops, steps and associated porticos. In May 2016 Mr. & Mrs. Frank (Scot) McCulloch, II of 5604 Kirkside Drive were **granted** a variance to expand a portico, stoop and steps that would encroach a maximum of six feet, ten and one-quarter inches (6'-10 1/4") forward of the twenty-five foot front BRL. In March 2016 Mr. & Mrs. Craig Van Note of 5500 Park Street were **granted** a variance to construct a new portico over and existing stoop. The portico encroaches four feet, eight inches (4'-8") forward of the twenty-five (25) foot front (Park Street) building restriction line. In December of 2015 Mr. & Ms. Jeffery Selingo of 205 Primrose Street were **granted** a variance to expand an existing stoop and construct a new portico over it.

Findings Required:

1. The proposed variance is required because special conditions exist whereby the enforcement of the requirements of the Village Building Code would result in an unwarranted hardship and injustice to the owner.
2. The proposed variance will most nearly accomplish the intent and purpose of the requirements of the Village Building Code; and
3. Except for variances from the requirements of Sections 8-21 [fences], 8-26 [driveways] or Chapter 25 [public rights-of-way] of the Village Regulations, the structure authorized by the proposed variance would not violate any covenant applicable to the property.

Draft Motion

I move to APPROVE/DENY the variance request in Case A-6951 (a) [portico] on the basis that the evidence presented, including the Staff Report, demonstrates that the applicable requirements for approval of the variance HAVE/HAVE NOT been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, APPROVING/DENYING the variance request.

I move to APPROVE/DENY the variance request in Case A-6951 (b) [stoop and steps] on the basis that the evidence presented, including the Staff Report, demonstrates that the applicable requirements for approval of the variance HAVE/HAVE NOT been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, APPROVING/DENYING the variance request.

**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 13th day of June, 2016 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-6951 (A) & (B)
MR. SCOTT M. LEVINE & MS. MELISSA R. BLUME
5613 MONTGOMERY STREET
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-9 of the Chevy Chase Village Building Code to construct:

- a) an expanded portico, which would encroach a maximum of one foot, eight and one-half inches (1'-8 ½") forward of the twenty-five (25) foot front (Montgomery Street) building restriction line (BRL). The proposed portico would be three feet, six inches (3'-6") wider than the existing portico; and
- b) an expanded front stoop and steps, which would encroach a maximum of three (3) feet forward of the twenty-five (25) foot front (Montgomery Street) building restriction line. The proposed stoop would be two feet, one inch (2'-1") wider than the existing stoop and the proposed steps would be eleven (11) inches wider than the existing front steps, which presently encroach a maximum of one foot, three inches (1'-3") forward of the twenty-five foot front BRL.

Sec. 8-16. Residential building construction prohibitions.

- (c) Front setback. No structure of any description shall be erected within twenty-five (25) feet of the front lot line of any lot...

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed (and emailed where possible) and to abutting and confronting property owners on the 2nd day of June, 2016.

**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**



June 2, 2016

Ms. Melissa Blume &
Mr. Scott Levine
5613 Montgomery Street
Chevy Chase, MD 20815

Dear Ms. Blume and Mr. Levine:

Please note that your request for a variance to construct an expanded stoop, steps and front portico in the front yard at your property is scheduled before the Board of Managers on Monday, June 13, 2016 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands
Permitting and Code Enforcement
Chevy Chase Village

Enclosures

Cc: Dan Morales, Gilday Construction, via email

CHEVY CHASE VILLAGE
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
Phone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov
www.chevychasevillagemd.gov

BOARD OF MANAGERS

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ELISSA A. LEONARD
Vice Chair

RICHARD M. RUDA
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DAVID I. WINSTEAD
Assistant Secretary

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Assistant Treasurer

MINH LE
Board Member

VILLAGE MANAGER
SHANA R. DAVIS-COOK

LEGAL COUNSEL
SUELEN M. FERGUSON

MAILING LIST FOR APPEAL A-6951

**MS. MELISSA R. BLUME &
MR. SCOTT M. LEVINE
5613 MONTGOMERY STREET
CHEVY CHASE, MD 20815**

Adjoining and confronting property owners	
Mr. & Ms. Tom Loughney Or Current Resident 4012 Oliver Street Chevy Chase, MD 20815	Mr. & Mrs. Leon Bramson Or Current Resident 5608 Montgomery Street Chevy Chase, MD 20815
Ms. M. Teresa Finney Or Current Resident 5615 Montgomery Street Chevy Chase, MD 20815	Mr. & Ms. Stefan Alber-Glanstaetten Or Current Resident 5611 Montgomery Street Chevy Chase, MD 20815
Mr. & Mrs. Andrew Fenzel Or Current Resident 5508 Center Street Chevy Chase, MD 20815	Mr. & Mrs. Alex Holtan Or Current Resident 5510 Center Street Chevy Chase, MD 20815
Mr. & Mrs. Andrew Verga Or Current Resident 5512 Center Street Chevy Chase, MD 20815	



I hereby certify that a public notice was emailed (where possible) and mailed to the
aforementioned property owners on the 2nd day of June 2016.

**Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**

CEDAR PKWY.

4017

4015

4011

4009

4007

4005

4003

5700

OLIVER ST.

4016

4014

4012

4000

5610

5600

5608

5606

5617

5615

5613

5611

5516

5514

5512

5510

5508

5506

5504

5502

5601

MONTGOMERY ST.

CENTER ST.

5605

5607

5609

5603

5517

5515

5511

5509

5507

Chevy Chase Village

Application for a Variance

A variance is permission granted by the Board of Managers pursuant to, and subject to, the conditions of Sec. 8-9(c) of Chapter 8 to construct, install, remove or alter a structure or planting, or take any other action that does not otherwise meet the requirements of the Chapter. Except as provided in Sec. 8-11 a variance can be granted only by the Board of Managers.

Subject Property: 5613 MONTGOMERY STREET, CHEVY CHASE, MD. 20815	
Describe the Proposed Project: PROPOSED NEW PORCH & STEPS TO REPLACE EXISTING PORCH & STEPS.	
Applicant Name(s) (List all property owners): SCOTT LEVINE & MELISSA BLUME	
Daytime telephone: 202-879-3437	Cell: 202-997-0028
E-mail: smlevine@jonesday.com	
Address (if different from property address):	
For Village staff use:	
Date this form received: 5/26/16	Variance No: A-6951

Filing Requirements:

Applications will be reviewed for satisfaction of all requirements and are not considered complete until approved as such by staff.

- ☐ Completed Chevy Chase Village Application for a Variance (this form)
- ☐ Completed Chevy Chase Village Building Permit Application
- ☐ Completed Chevy Chase Village Website Posting Notice
- ☐ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☐ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☐ Copy of Covenants applicable to the property except for variances from Secs. 8-21 or 8-26 of Chapter 8 (Building Regulations) or Chapter 25 (Public Rights-of-Way) of the Chevy Chase Village Code.
- ☐ Variance fee (See fee schedule listed in Chapter 6 of the Village Code).

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: [Signature]
Applicant's Signature: Scott Levine

Date: 5/24/16
Date: 5/27/16

Describe the basis for the variance request (Applicants should become familiar with the pertinent sections of the Village Code. Attach additional pages as needed):

Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village.

SEE ATTACHMENT 1-a

Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of the special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause that unwarranted hardship and injustice):

SEE ATTACHMENT 1-b

Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

SEE ATTACHMENT 1-c

In exercising its powers in connection with a variance request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

Variance Filing Fee: Per Village Code Sec. 6-2(a)(24) <input checked="" type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. <input type="checkbox"/> Other: \$ Fee Paid: 300.00 Credit # 35023	Checks Payable To: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815 Date Paid: Staff Signature: <i>[Signature]</i>
	Approved to Issue Building Permit per Signed Board Decision. Signature: _____ Village Manager Date: _____

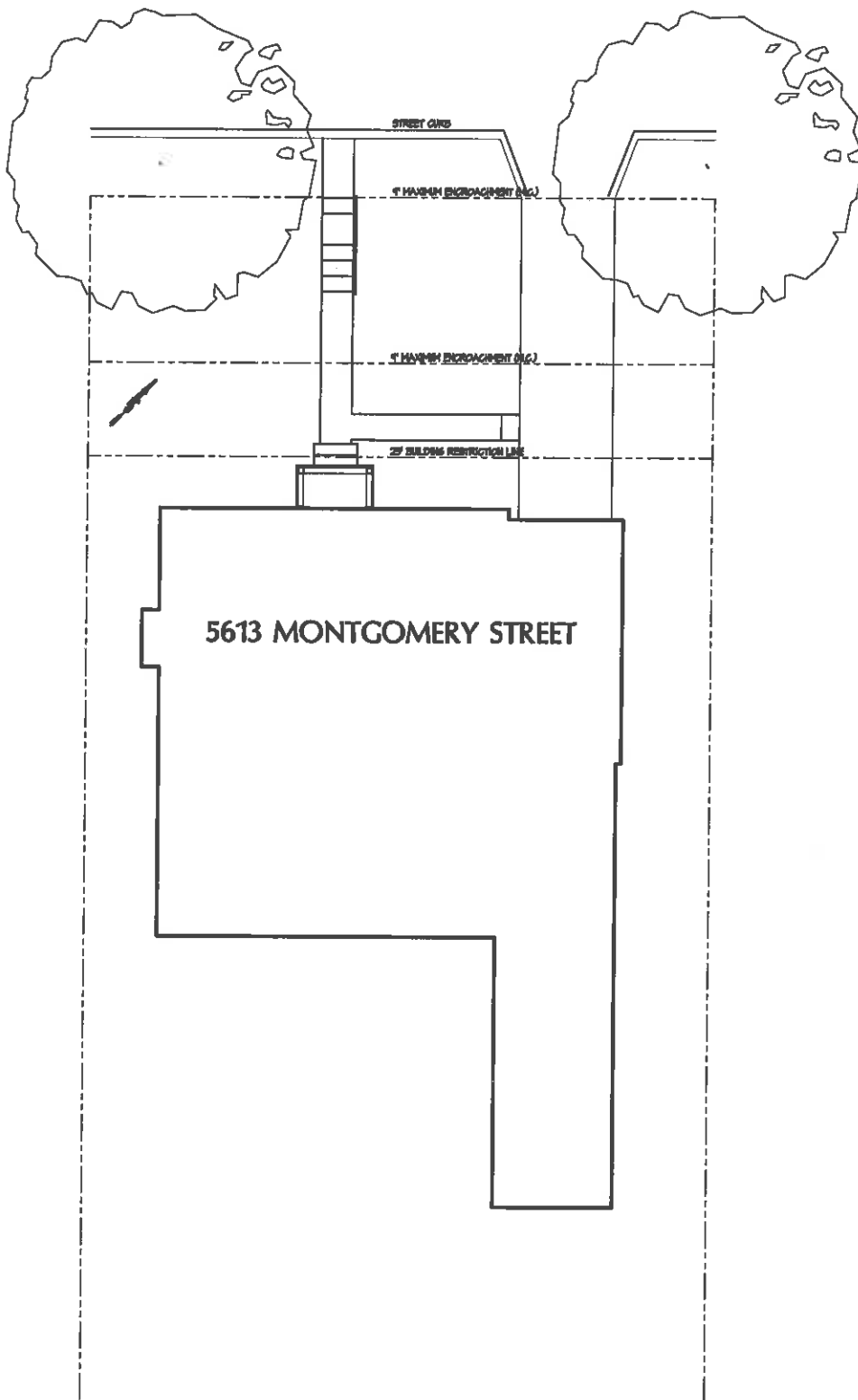
6

Levine Residence
5613 Montgomery Street
Chevy Chase, MD 20815

RE: Portico Variance

Attachment1:

- a) While the property is regularly configured, the existing stoop steps encroach into the set back line by approximately 15".
- b) The intent of the proposed portico expansion is to provide a safe entry into the house as required to address the change in elevation from the ground to the primary entrance of the house. The family has two young children, the youngest being of stroller age, therefore the proximity of the existing stoop's edge to the swing of the storm door make it unsafe when entering. The proposed portico stoop and steps are slightly larger as compared to the existing portico in order to safely negotiate entry and exit from the residence. The roof is necessary to protect the residents from inclement weather and to keep the stoop's surface free of ice.
- c) The proposed portico expansion is modest in size and consistent with the guidelines of the recently adopted policy on stoops, steps, and associated porticos, therefore it would not be considered "structure" and would be consistent with that policy. In addition, it will not adversely alter the property or the neighborhood's character.

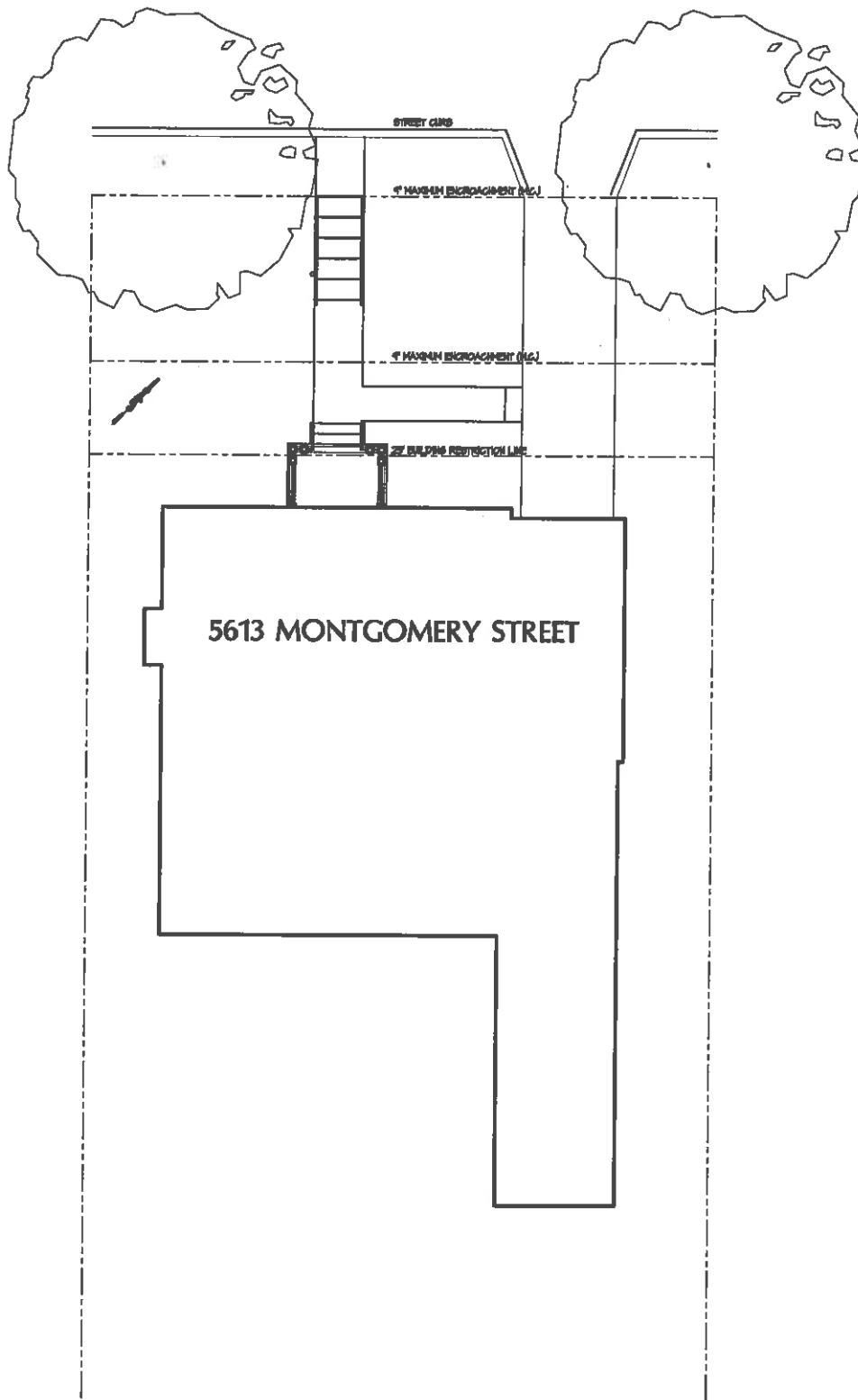


5613 MONTGOMERY STREET - EXISTING SITE PLAN

SCALE: 1/16" = 1'-0"

GILDAY RENOVATIONS

DATE: 3/26/16



5613 MONTGOMERY STREET - PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"

GILDAY RENOVATIONS

DATE: 5/26/16

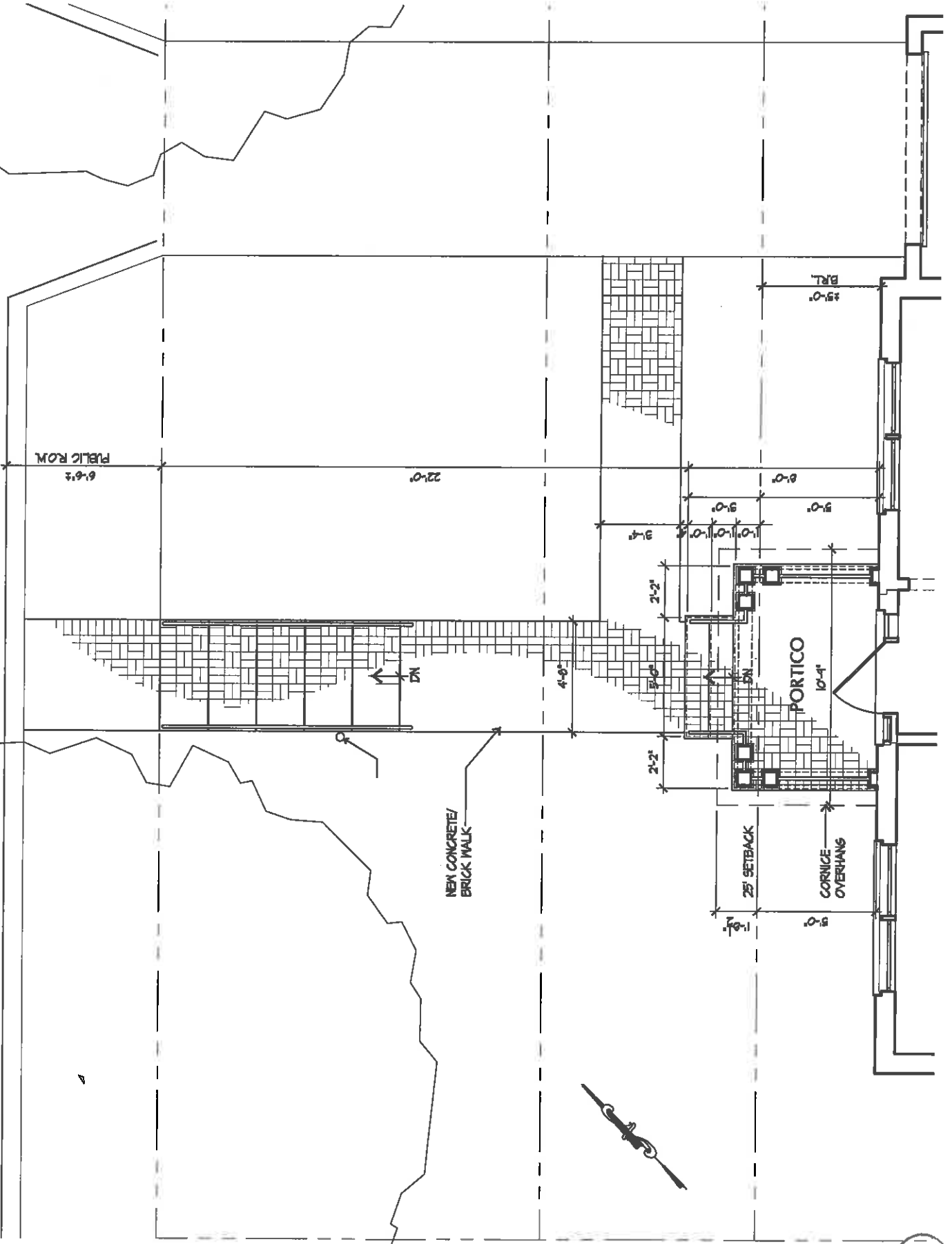


5613 MONTGOMERY STREET - PROPOSED FRONT YARD PLAN

SCALE 3/16" = 1'-0"

GILDAY RENOVATIONS

DATE 5/27/16





PROPOSED FRONT ELEVATION



PROPOSED FRONT ELEVATION

5613 MONTGOMERY STREET - EXISTING AND PROPOSED FRONT ELEVATION

SCALE: 1/2" = 1'-0"

GILDAY RENOVATIONS

DATE: 5/27/16



EXISTING LEFT ELEVATION



PROPOSED LEFT ELEVATION

5613 MONTGOMERY STREET - EXISTING AND PROPOSED LEFT ELEVATION

SCALE: 1/2" = 1'-0"

GILDAY RENOVATIONS

DATE: 5/27/16



EXISTING RIGHT ELEVATION



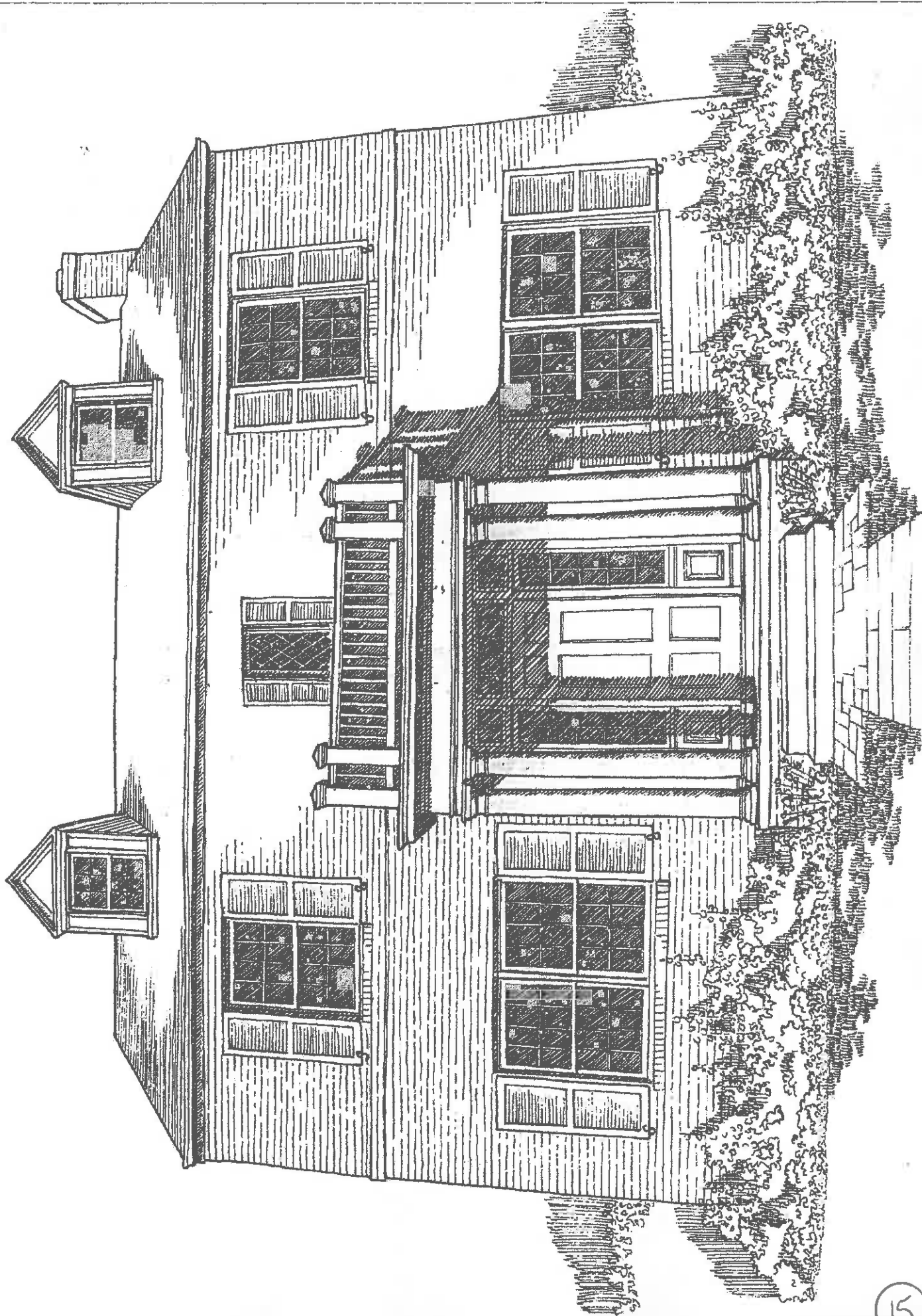
PROPOSED RIGHT ELEVATION

5613 MONTGOMERY STREET - EXISTING AND PROPOSED LEFT ELEVATION

SCALE: 1/2" = 1'-0"

GILDAY RENOVATIONS

DATE: 5/27/16



Chevy Chase Village
Building Permit Application

Permit No: 6951

Property Address: 5613 MONTGOMERY STREET
CHEVY CHASE, MD. 20815

Resident Name: SCOTT LEVINE & MELISSA BLUMIE

Daytime telephone: 202-879-3437

Cell phone: 202-997-0028

After-hours telephone: 301-565-0465

E-mail: smlevine@jonesday.com

Project Description:

Proposed new patio and steps to replace existing patio and steps

☐ Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.

Primary Contact for Project:

☐ Resident

☐ Architect

☐ Project Manager

☒ Contractor*

*MHIC/MD Contractor's License No. (required): 10131

Information for Primary Contact for Project (if different from property owner):

Name: DANIEL MORALES

Work telephone: 301 565 4600 x95

After-hours telephone: 202 21 565 4600 x95

Cell phone: 240 997 3908

E-mail: danmoraless@gilday.com

Will the residence be occupied during the construction project?

☒ Yes ☐ No

If no, provide contact information for the party responsible for the construction site (if different from above):

Name:

Address:

Work telephone:

After-hours telephone:

Cell phone:

E-mail:

Parking Compliance:

Is adequate on-site parking available for the construction crews?

☒ Yes ☐ No

If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons? ☐ Yes ☒ No

Building Permit Filing Requirements:
Application will not be reviewed until the application is complete

- ☐ Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
- ☒ This application form, signed by resident.
- ☒ Boundary Survey
- ☒ Site Plan (see: Village Site Plan Checklist to ensure completeness)
- ☒ Building plans and specifications
- ☐ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☒ Filing Fee (due at time of application). Fees schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when Building Permit is issued). Amount of required deposit or bond will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.

If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising the architect, contractor, or any other service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature:  Date: 5/24/16

<i>To be completed by Village staff</i>			
Is this property within the historic district?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Staff Initials: <u>GB</u>
Date application filed with Village: <u>5/24/16</u>	Date permit issued: _____	Expiration date: _____	

For Use By Village Manager	Application approved with the following conditions:
For Use By Village Manager	Application denied for the following reasons:
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> DENIED MAY 27 2016 Chevy Chase Village Manager </div>	<i>Denial Reason</i> Proposed work expands an existing developmental non conformity

Filing Fees (due when application submitted)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Permit Application Fee: \$ <u>30⁰⁰</u> (see Permit Fee Worksheet) <input type="checkbox"/> \$50.00 (if construction is in the Public Right-of-way)	
Tree Preservation Plan Fee: <input type="checkbox"/> \$250.00 <input checked="" type="checkbox"/> Not required for this project.	
TOTAL Fees: <u>\$30⁰⁰</u> <i>check #35023</i>	
	Date: <u>5/27/16</u> Staff Signature: <i>[Signature]</i>

Damage Deposit/Performance Bond (due when permit is issued)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Village Manager Signature:
Cost of damage to R-O-W: (calculated at close-out) Amount of refund:	Date: Village Manager Signature:

Secretary and its corporate seal to be hereunto affixed, and does hereby constitute and appoint T. Stanley Holland its true and lawful Attorney in fact, for it and in its name to acknowledge and deliver these presents as its act and deed.

Attest: William S. French, Jr.

Secretary

E-Z Chemical Company

Incorporated Delaware

1923

E-Z Chemical Company

By T. Stanley Holland

Vice-President.

(Internal Revenue \$46.75)

(State Tax \$42.30)

District of Columbia, to wit:

I, Linnaeus T. Savage, a Notary Public in and for the aforesaid District of Columbia, do hereby certify that T. Stanley Holland, who is personally well known to me as the person named as Attorney in fact in the foregoing and annexed Deed, bearing date on the 30th day of October, A. D. 1944, to acknowledge the same, personally appeared before me in said District of Columbia and as Attorney in fact as aforesaid, and by virtue of the authority vested in him by said Deed, acknowledged the same to be the act and deed of E-Z Chemical Company the corporation grantor therein, and delivered the same as such.

Given under my hand and seal, this 30th day of October, A. D. 1944.

Linnaeus T. Savage

Linnaeus T. Savage

Notary Public, D. C.

Notary Public

My commission expires

District of

October 14, 1945.

Columbia.

18-72
Done at 1:36 p.m.
in D.C. 11/3/44
W. S. French, Jr.
Notary Public, D.C.

at the request of H. Glenn Phelps and Harry K. Sone, the following Deed was recorded December 1st, A. D. 1944, at 11:36 o'clock A. M. to-wit:

This Deed Made this 27th day of November, in the year one thousand nine hundred and forty-four, by and between The Chevy Chase Land Company, of Montgomery County, Maryland, (a corporation duly organized under and by virtue of the laws of the State of Maryland) party of the first part, and H. Glenn Phelps and Harry K. Sone, as joint tenants parties of the second part;

Witnesseth, That the said party of the first part, for and in consideration of the sum of Twenty-seven thousand seven hundred twenty (\$27,720.00) Dollars to it paid by the said parties of the second part, and of the covenants and agreements of the said parties of the second part as hereinafter set forth, does hereby grant and convey unto the said parties of the second part, in fee simple, as joint tenants, the following described land and premises, with the improvement, easements, and appurtenances thereunto belonging, situate in the County of Montgomery, State of Maryland, namely:

Lots numbered Twenty-six (26) to thirty-seven (37) both inclusive, in the resubdivision made by The Chevy Chase Land Company of Montgomery County, Maryland of certain lots in block numbered Nine (9) 'Section One-A, Chevy Chase', as per plat of said resubdivision recorded in Plat Book 18, at folio 1134, one of the Land Records of Montgomery County, Maryland.

subject to building restriction line as shown on said plat.

It is hereby understood and agreed that no building shall be erected on the land hereby conveyed unless and until the plans of the elevations, the design and color scheme thereof, as well as the location of said building on said land shall be first approved in writing by The Chevy Chase Land Company of Montgomery County, Maryland, or its successors.

It is hereby understood and agreed that no objection will be raised by

the said parties of the second part, their heirs and assigns, to the rezoning of Lots in Blocks 6 and 11 in said subdivision known as "Section One-A, Chevy Chase", Montgomery County, Maryland, for use for commercial purposes.

In evidence of their acceptance of the covenants and restrictions herein contained and of their intention to bind themselves, their heirs and assigns, in carrying out and performing the same, the said parties of the second part have hereunto set their hands and seals.

To Have and to Hold the said land and premises, with the improvements, easements and appurtenances, unto and to the use of the said parties of the second part, as joint tenants,

In Consideration of the execution of this Deed, the said parties of the second part, for themselves, their and each of their heirs and assigns, hereby covenant and agree with the party of the first part, its successors and assigns (such covenants and agreements to run with the land), as follows, viz:

1. That all houses upon the premises hereby conveyed shall be built and used for residence purposes exclusively, except stables, carriage-houses, sheds or other outbuildings, for use in connection with such residences, and that no trade, business, manufacture or sales, or nuisance of any kind shall be carried on or permitted upon said premises.

2. That no structure of any description shall be erected within twenty-five (25) feet of the front line of said premises; and that no stable, carriage-house, shed, or outbuilding shall be erected except on the rear of said premises.

In the case of corner lots any and all lines bordering upon a street, avenue, or parkway shall be considered a front line.

3. That no house shall be erected on said premises at a cost less than seventy-five hundred (7500) Dollars.

4. That any house erected on said premises shall be designed for the occupancy of a single family, and no part of any house or of any structure appurtenant thereto shall be erected or maintained within five (5) feet of the side lines of premises hereby conveyed, nor within (10) ten feet of the nearest adjacent house.

5. That a violation of any of the aforesaid covenants and agreements may be enjoined and the same enforced at the suit of the Chevy Chase Land Company, of Montgomery County, Maryland, its successors and assigns (assigns including any person deriving title mediately or immediately from said Company to any lot or square or part of a lot or square in the Section of the subdivision of which the land hereby conveyed forms a part).

And the said party hereto of the first part hereby covenants to warrant specially the property hereby conveyed, and to execute such further assurances of said land as may be requisite.

In Testimony Whereof, on the day and year first hereinbefore written, the said The Chevy Chase Land Company, of Montgomery County, Maryland, has caused these presents to be signed with its corporate name by Edward L. Hillyer, its President, attested by Willard G. McGraw, its Secretary, and its corporate seal to be hereunto affixed, and does hereby constitute and appoint Willard G. McGraw, its true and lawful Attorney in fact, for it and in its name, place and stead to acknowledge these presents as its act and deed before any person or officer duly authorized to take such acknowledgment, and to deliver the same as such.

Attest: Willard G. McGraw
Secretary

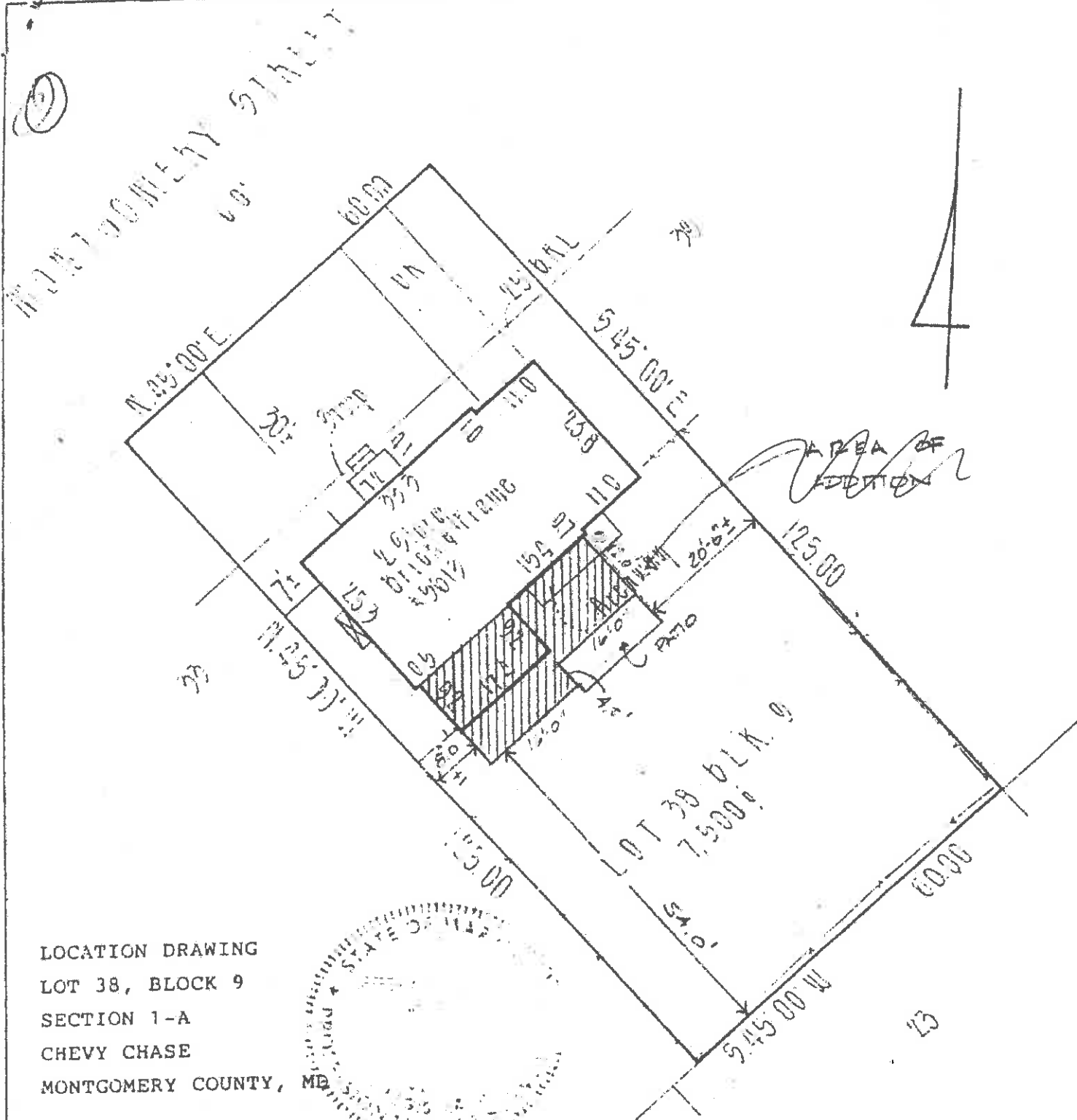
The Chevy Chase
Land Co. of Mont-
gomery Co. Maryland

The Chevy Chase Land Company
of Montgomery County, Maryland.
President.

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relinquishing. The property shown hereon is not in a flood plain per existing records unless otherwise indicated.



LOCATION DRAWING
LOT 38, BLOCK 9
SECTION 1-A
CHEVY CHASE
MONTGOMERY COUNTY, MD

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE POSITION OF THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY ACCEPTED FIELD PRACTICES TO THE BEST OF MY KNOWLEDGE AND BELIEF

Jefferson D. Lawrence
JEFFERSON D. LAWRENCE
REGISTERED LAND SURVEYOR MARYLAND #3216

REFERENCES

PLAT BK 39
PLAT NO. 2767

LIBER
FOLIO

ANDJON ASSOCIATES, INC.

7 Brookes Avenue
Gaithersburg, MD 20877
301-840-9010

DATE 9-18-96

SCALE: 1"=20'

JOB NO: 20496

Chevy Chase Village

Website Posting Notice

for Appeal, Special Permit & Variance Hearings

Case Number: A-6951

Hearing Date: 6/11/16

By signing below, I acknowledge as the applicant/appellant in the above-referenced case number that all supporting information and documentation for my case will be posted on the Village's website at <www.chevychasevillagemd.gov> for review by the general public.

Applicant/Appellant Name: SCOTT LEVINE & MELISSA BLUME

Address: 5613 MONTGOMERY STREET, CHEVY CHASE, MD. 20815

Telephone: 301-565-0765

E-mail: smlevine@jonesday.com

Applicant/Appellant Signature: 

Agent Name for applicant/appellant (if necessary):

Telephone: 301-565-4600 x95

Address: 9162 BROOKVILLE RD., SILVER SPRING MD. 20910

E-mail: danmorales@gilday.com

Signature of agent:  (for Gilday Renovations)

Village staff initials: 

Date: 5/29/16